

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	NO. 04-192-02
ERIC HUMBERT	:	

ORDER

AND NOW, this 7th day of June, 2024, upon consideration of Defendant's Post-Sentencing Motion in Accordance with Sentencing Statute 18 U.S.C. § 3661 and 18 U.S.C. § 3553(a) Support of Motion for Resentencing Pursuant to Johnson Claim (ECF No. 171), Defendant's Motion to Vacate/Set Aside/Correct Sentence (2255) under 28 U.S.C. 2255 (ECF No. 178), and all documents submitted in support thereof and in opposition thereto, it is

ORDERED as follows:

1. Defendant's Motions are **GRANTED *in part*** and **DENIED *in part***.
2. The Court **VACATES** Defendant's conviction and sentence on Count Four.
3. No certificate of appealability shall issue under 28 U.S.C. § 2253(c).

IT IS SO ORDERED.

BY THE COURT:

/s R. Barclay Surrick
R. BARCLAY SURRICK, J.